

**MINUTES  
STATE BOARD OF EDUCATION  
AUGUST 31, 2006**

The State Board of Education met for its regular meeting in Room 12 of the Legislative Plaza, Nashville, Tennessee, at 8:30 a.m. CDT, on August 31, 2006.

**Present..... 7**

**Mr. Fielding Rolston, Chair**  
**Mr. Jim Ayers**  
**Mr. Flavius Barker**  
**Ms. Carolyn Pearre**  
**Mr. Richard Ray**  
**Ms. Sharon Thompson**  
**Dr. Melvin Wright**

**Absent.....3**

**Dr. Jean Anne Rogers**  
**Dr. Valerie Rutledge**  
**Dr. Richard Rhoda, Ex-Officio**

**Chairman Rolston** called the meeting to order and welcomed members of the audience.

**I. Consent Items**

**A. Adoption of Agenda**

**B. Approval of Minutes from April 21, 2006, June 26, 2006, and August 16, 2006**

**ACTION:** **Dr. Wright** moved acceptance. **Mr. Barker** seconded. The motion passed unanimously.

**II. Report Items**

**A. Executive Summary: State Board of Education Charter School Visits**

**Mr. Rich Haglund**, State Board of Education, reminded the members that they had received the executive summary and the full report. He noted that the section on recruiting had been changed to more clearly articulate the difficulty raised by the timing of release of AYP and individual student proficiency data and the public charter school eligibility. He also recommended that members review the several data sets from the Univ. of Memphis Center for Research in Education Policy and individual charter schools for 2004-2005 and 2005-2006.

**Mr. Haglund** highlighted five points for the Board to consider:

1. Charter schools are public schools.

2. Successful public charter schools have a visionary board that selected a high quality school leader.
3. There should be a facilities piece in the state scorecard for CS applications.
4. We observed a balance between really great charter schools and some that are still figuring things out.
5. In the urban environment, the key to the students' success is the belief of all school stakeholders (board, parents, teachers and students) in what they are doing. In the successful charter schools, that belief was profoundly evident.

**Mr. Haglund** also commended **Art Fuller** for the presentations he made to junior high school and high school charter school students on the importance of college education and the availability of the lottery scholarship.

**Ms. Thompson** noted that she came to the visits with one mindset, but was so impressed with the learning taking place that she left with a different mindset.

**Vice Chair Pearre** said that she was particularly impressed with the structure in the two public charter schools in Nashville, and how the students thrived on that structure. She was also impressed with the learning taking place.

**Mr. Ayers** asked if there was any movement afoot toward expanding eligibility for enrollment. **Mr. Haglund** explained that there was from the schools themselves and probably would be by the Tennessee Charter School Association, but such a change must come from the General Assembly. **Dr. Nixon**, Executive Director, State Board of Education, added that he expected the legislature would not make any changes until the Comptroller's next report in 2008, which will include significant data.

**Ms. Thompson** asked if changes to the application for potential sponsors were being made. **Mr. Haglund**, with the assistance of **Dr. Julie McCargar**, from the Department of Education, explained that some revisions were being made to the current application, but he did not know if they were significant.

**Chairman Rolston** asked what the next steps would be on this matter. **Mr. Haglund** answered that he would be meeting with the Director of Charter Schools, Eric Hilgendorf, in September, as well as with LEA and charter school staff this fall, and would then bring some recommendations to the Board during the next year.

**Chairman Rolston** commented that Tennessee's different approach to charter schools makes it inappropriate to lump their progress within the parameters of a recent U.S. Dept. of Ed. report.

**B. *Salary Increase for Special Schools***

**Dr. Nixon** reported that the General Assembly approved a 3% salary increase for all state employees, including special school teachers, effective July 1, 2006. The Department of Personnel required a letter of approval from the State Board of Education and the State Board of Education in order to grant the 3% salary increase to special school teachers.

**C. *Summary Report: Performance of 2004-2005 Teacher Education Graduates***

**Dr. Mary Jo Howland**, State Board of Education, presented the annual review of teacher education graduates' pass rate of the Praxis II exams prepared by Martin Nash of the Department of Education. The Praxis II examinations include the Principals of Learning and Teaching examination and subject area assessments.

In accordance with TCA 49-4-5607, the State Department of Education prepared a summary report of performance on the Praxis II examinations of the 2004-05 teacher education graduates. No institution had 30% or more of its students fail the examinations.

**D. *BEP Allocations for Fiscal Year 2006-2007***

**Mr. Art Fuller**, State Board of Education, presented a fiscal year estimate of the BEP allocations for the 2006-07 calendar year, pending ADM adjustment replacements due to Hurricane Katrina. The official BEP allocation will be presented at the November meeting.

**III. *Action Items (First Reading)***

**A. *Speech Language Service Delivery Model, Rule***

**Dr. Howland** presented a revised School Speech-Language Service Delivery Model and the rule changes required to implement the model. The revisions were necessary to be consistent with Tennessee Code and Board teacher licensure rules. The requested changes would allow the program implementation to begin this year as required by the rule.

The requested changes are:

- 1) Eliminate the associate degree level school speech-language associate licensure.

- 3) Eliminate the school speech-language paraprofessional and the school speech-language assistant from the model.

**ACTION:** **Mr. Ray** moved to approve Items 1 and 3. **Dr. Wright** seconded. **Vice Chair Pearre** passed. The motion passed by majority vote.

The remaining changes were presented for first reading.

- 2) Change the name of the license from school speech-language associate to school speech-language teacher.
- 4) Add references and language to clarify the rules.
- 5) Include language to clarify the relationship between the job responsibilities of the school speech-language pathologist and the school speech-language teachers.

**ACTION:** **Mr. Ray** moved to approve Items 2, 4 and 5 on first reading. **Dr. Wright** seconded. **Vice Chair Pearre** passed. The motion passed by majority vote.

**B. *Tennessee Standards for Instructional Leaders***

**Dr. Howland** stated that the Tennessee Standard for Instructional Leaders is the first product of the Administrator Redesign Commission. Approving the draft standards will provide the pilot sites at the University of Memphis and East Tennessee State University with standards to guide course development.

**Chairman Rolston** asked if the Advisory Council on Teacher Education and Certification was involved in the standards development. **Dr. Howland** assured him that an update of the commission and Task Force progress was presented at each meeting for the councils review and approval. Furthermore, several members of the Advisory Council are involved in the work of the Commission.

**Chairman Rolston** also asked what the difference was between the current standards and the new standards. **Dr. Howland** explained that the new standards have the principals of the Interstate School Leaders Licensure Consortium (ISLLC) embedded in the proposed standards. The new standards are written so they can be operationalized and more easily measured. The new standards are based on current research on effective school leaders.

The second reading of these standards will not be presented for final reading until a final redesign program is completed.

**ACTION:** **Vice Chair Pearre** moved acceptance on first reading. **Mr. Ray** seconded. The motion passed unanimously.

**C. *Policy 5.501 – License Denial, Suspension, and Revocation Procedure***

**Mr. Haglund** introduced the new policy which covers current practice in these matters, and noted that he would include the flow chart handed out at the workshop as part of the procedure before it came up for final reading.

**ACTION:** **Dr. Wright** moved acceptance on first reading. **Mr. Ray** seconded. The motion passed unanimously.

**D. *Preliminary List of Textbooks for Section V (Reading)***

**Ms. Kimberly Jackson**, Department of Education, introduced the list of textbooks approved by the Textbook Commission.

**ACTION:** **Vice Chair Pearre** moved acceptance on first reading. **Mr. Ayers** seconded. The motion passed unanimously.

**E. *Foreign Language Curriculum Standards Revisions***

**Ms. Nancy Shumate**, Department of Education, introduced the revisions in the area of foreign language. The curriculum is not language specific but rather encompasses all languages with a set of common standards.

**ACTION:** **Dr. Wright** moved acceptance on first reading. **Vice Chair Pearre** seconded. The motion passed unanimously.

**F. *Gifted Standards Revisions***

**Ms. Ann Hampton**, Department of Education, presented the Gifted Standards Revision to the board noting the more comprehensive nature of the revisions in regards to identifying students based on a more comprehensive set of gifted indicators.

**Vice Chair Pearre** identified the need to adjust the wording for the definition requirements of evaluation participants, specifically in regards to Section 3(a)6 within the recommendation. She noted that the special education teacher, as identified within the definition should denote the need for that special education teacher to have a requisite number of hours of training in gifted education. The Department agreed to accommodate this wording adjustment.

**ACTION:** **Mr. Ayers** moved acceptance on first reading. **Vice Chair Pearre** seconded. The motion passed unanimously.

**G.     *US History Curriculum Standards Revisions***

**Dr. David Sevier**, State Board of Education, introduced the revisions to the US History Curriculum Standards which consist of clarifications and technical corrections to the previously approved standards.

**ACTION:**     **Mr. Ray** moved acceptance on first reading. **Dr. Wright** seconded. The motion passed unanimously.

**H.     *Formation of Course in Personal Finance, Rule***

**Dr. Sevier** introduced the Personal Finance course and noted that the intent is to train students to become better stewards of their finances. He also noted that the General Assembly recently enacted legislation allowing this course to substitute for economics in the high school curriculum.

**ACTION:**     **Mr. Barker** moved acceptance on first reading. **Dr. Wright** seconded. **Mr. Ray** cast a dissenting vote. The motion passed by majority vote.

**I.     *Personal Finance Curriculum Standards***

**Dr. Sevier** introduced the standards which accompany the Personal Finance course. Public Chapter 854 stipulates that once this course has been developed by the Department of Education and approved by the State Board of Education students who are enrolled in this course will be rendered eligible to substitute Personal Finance and for the Economics requirement.

**Chairman Rolston** stated that teachers needed to be adequately trained in order to teach personal finance.

**ACTION:**     **Dr. Wright** moved acceptance on first reading. **Vice Chair Pearre** seconded. **Mr. Ray** cast a dissenting vote. The motion passed by majority vote.

**IV.    Action Items (Final Reading)**

**A.     *Tennessee Teacher Licensure Standards: Theatre K-12***  
and

**B.     *Tennessee Teacher Licensure Standards: Special Education, Hearing PreK-12***

**Ms. Karen Weeks**, State Board of Education, presented the proposed licensure standards. The Theatre standards complete the revision of standards in the fine arts and the Hearing standards complete the revision of standards in special education. She acknowledged the work of Department of Education staff, **Jeanette Crosswhite** and **Jennifer**

**Nix** respectively. The standards become effective for candidates seeking licensure no later than September 1, 2010.

**ACTION:** **Vice Chair Pearre** moved to approve. **Ms. Thompson** seconded. The motion passed unanimously.

**C. *TCAP-Alternative Portfolio Assessment (PA): Scoring Guide Cuts for Proficient and Advanced***

**Ms. Ann Sanders**, Department of Education, reported that the requirement for alternate assessment was first mandated through the reauthorization of IDEA 1997. All students, including those with significant cognitive and adaptive disabilities have been included in Tennessee's assessment program since 2000-2001. Students participating in alternate assessment were given two options for assessment: Portfolio Assessment and the ASA. ASA originally stood for Academic Skills Assessment. The acronym was then changed to reflect the title of Alternate Standards Assessment. In both cases, the ASA was an out-of-level Terra Nova assessment (grade levels K-2) or TCAP Achievement Test (grade level 3). Alternate assessment was initially focused on the functional skills on which students were working. Since the passage of IDEA 1997, the focus has turned more toward assessment of academic skills. The passage of No Child Left Behind and further clarification received through the USDOE guidance in August 2005 regarding the December 2003 Final Rules and Regulations for Assessing Students with Significant Cognitive Disabilities.

In April 2005, the TCAP Alternate Standards Committee met for the first time to discuss the development of alternate performance indicators on which TCAP-Alt assessments would be based.

In January 2006, the State Board approved the first reading of the TCAP-Alt: Alternate Performance Indicators and Revised Scoring Rubrics. The TCAP-Alt Scoring Guide cuts determine what score is needed for a student to score as proficient or advanced on the TCAP-Alt Portfolio Assessment.

**Mr. Ray** stated that the definition of the word "proficient" needs to be examined and that he is concerned about the continued lowering of the proficient score.

**ACTION:** **Vice Chair Pearre** moved to approve. **Dr. Wright** seconded. **Mr. Ray** cast a dissenting vote. The motion passed by majority vote.

**D. *Performance Levels and Cut Scores for the Comprehensive English Language Learners Assessment (CELLA)***

**Dr. McCargar** introduced the cut scores which determine proficiency for English language learners. These performance levels and cut scores allow students to exit ESL services.

**ACTION:** **Vice Chair Pearre** moved to approve. **Dr. Wright** seconded. The motion passed unanimously.

**E. *Tennessee Education Units and Program/Licensure Areas***

**Mr. Bruce Opie**, Department of Education, stated that the Department of Education is responsible for reviewing the professional teacher education units and specialty program licensure areas at public and private higher education institutions. Recommendations made by the Department must be approved by the State Board of Education.

The Department recommendations for teacher education units, specialty area programs, and graduate programs fall into one of three categories: Approval, Approval with Stipulations, or Denial of Approval.

The Department recommends approval of East Tennessee State University, the University of Tennessee at Chattanooga and Christian Brothers University for the teacher education units and program/licensure areas.

**ACTION:** **Dr. Wright** moved to approve. **Mr. Barker** seconded. The motion passed unanimously.

**F. *Approval of BEP Unit Costs for Fiscal Year 2006-07***

**Mr. Fuller** presented the final reading for the fiscal year 2006-07 BEP Unit Costs.

**ACTION:** **Vice Chair Pearre** moved to approve. **Dr. Wright** seconded. The motion passed unanimously.

**G. *BEP Salary Schedule for Licensed Instructional Personnel and State Mandated Minimum Salary Schedule for Superintendents/Directors of Schools for Fiscal Year 2006-07***

**Mr. Fuller** presented the final reading for the 2006-07 fiscal year BEP salary schedule.

**ACTION:** **Dr. Wright** moved to approve. **Ms. Thompson** seconded. The motion passed unanimously.

**H. *Category IV School Approval, The Farm School***

**Mr. Haglund** outlined why the school was seeking direct approval from the Board (because it was not associated with the Christian or non-Christian accrediting agencies listed in Tenn. Code Ann. 49-50-801), and added that the school had met all of the requirements of Board Rule 0520-7-2-.05 for approval. The Department of Education's Office of School Approval and Board staff recommended approval on final reading.



**ACTION:** **Vice Chair Pearre** moved to approve. **Dr. Wright** seconded. The motion passed unanimously.

**I. Policy 5.500 – License Restoration Guidelines**

**Mr. Haglund** explained that the policy revision would prevent the Board from considering restoration requests while a license action in another state is pending.

**ACTION:** **Dr. Wright** moved to approve. **Vice Chair Pearre** seconded. The motion passed unanimously.

**V. Teacher License Revocations**

- A. Ramona H. Harp**
- B. Evie P. Harris**
- C. Larry D. Medley**
- D. David P. Noles**
- E. Jon L. Calhoun**

**Mr. Haglund** explained why Mr. Calhoun's suspension was only for one year via an agreed order, stipulating that he participate in a rehabilitation program prior to reinstatement of his license, and moved acceptance of the proposed suspensions and revocation. **Mr. Haglund** also noted that this is the first time the Board has had suspension as a specific option in the rule, and that formal orders were included for each disciplinary action.

**ACTION:** **Mr. Barker** moved to approve items **V.A.-E**. **Dr. Wright** seconded. A roll call vote to adopt all the suspensions and revocation was taken as follows.

	Yes	No	Absent
<b>Jim Ayers</b>	<b>X</b>		
<b>Flavius Barker</b>	<b>X</b>		
<b>Carolyn Pearre</b>	<b>X</b>		
<b>Dick Ray</b>	<b>X</b>		
<b>Jean Anne Rogers</b>			<b>X</b>
<b>Fielding Rolston</b>	<b>X</b>		
<b>Valerie Rutledge</b>			<b>X</b>
<b>Sharon Thompson</b>	<b>X</b>		
<b>Melvin Wright</b>	<b>X</b>		

**VI.A. Jarral S. Yokley, Teacher Revocation Appeal**

**Mr. Bill Ward**, Department of Education, introduced this appeal from the administrative law judge's ruling granting the State's motion for summary

judgment, revoking Mr. Yokley's license. **Mr. Ward** explained the procedural history of the case. Following a finding by DCS that Mr. Yokley was an indicted perpetrator of child abuse, DCS rules require licensing agencies to assure the person's nonaccess to children. Thus, the administrative judge found that, as a matter of law, Mr. Yokley's license should be revoked. **Mr. Ward** noted that as long as that DCS indication was in place, there appeared to be no choice for the Board. **Mr. Ward** explained that the Board's options were to adopt the ALJ's order - in whole or part, enter a new final order or remand to the ALJ with instructions for further proceedings.

**ACTION:** **Vice Chair Pearre** moved that the Board adopt the whole Initial Order as a Final Order. **Dr. Wright** seconded the motion. A roll call vote to adopt the Initial Order as a Final Order was taken as follows.

	Yes	No	Absent
<b>Jim Ayers</b>	<b>X</b>		
<b>Flavius Barker</b>	<b>X</b>		
<b>Carolyn Pearre</b>	<b>X</b>		
<b>Dick Ray</b>	<b>X</b>		
<b>Jean Anne Rogers</b>			<b>X</b>
<b>Fielding Rolston</b>	<b>X</b>		
<b>Valerie Rutledge</b>			<b>X</b>
<b>Sharon Thompson</b>	<b>X</b>		
<b>Melvin Wright</b>	<b>X</b>		

The motion passed unanimously.

## VII. Teacher License Reinstatements

- A. *Ajamu Banjoko***
- B. *Sharma Burdick***
- C. *Joseph Carter***
- D. *Cornelius Barnes***

**Mr. Haglund** introduced the applications and moved denial of Mr. Banjoko's request but recommended approval of the requests from Mr. Barnes, Ms. Burdick and Mr. Carter.

**ACTION:** **Vice Chair Pearre** moved that the Board accept the recommendations of the General Counsel. **Dr. Wright** seconded the motion. The roll call vote to accept the recommendations was taken as follows.

	Yes	No	Absent
<b>Jim Ayers</b>	<b>X</b>		
<b>Flavius Barker</b>	<b>X</b>		
<b>Carolyn Pearre</b>	<b>X</b>		
<b>Dick Ray</b>	<b>X</b>		
<b>Jean Anne Rogers</b>			<b>X</b>

	Yes	No	Absent
Fielding Rolston	X		
Valerie Rutledge			X
Sharon Thompson	X		
Melvin Wright	X		

The roll call vote to accept the recommendations was unanimous.

## VII. Adjournment

**Chairman Rolston** thanked the Board members for their thoughtful deliberations and announced that the Board will meet next on November 2, 2006 for a staff retreat and for its regular quarterly meeting on November 3, 2006.

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_